

1c630 U.S. PTO  
01/25/99

Please type a plus sign (+) inside this box ☐

Attorney Docket P0854C1D4  
PATENT

*Paul C. Hoff*  
*TH*  
*HL*

CERTIFICATION UNDER 37 CFR 1.10

EM 168 882 540 US: Express Mail Number

January 25 1999: Date of Deposit

I hereby certify that this Non-provisional Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner of Patents, Washington, D.C. 20231.

*Joyce Cohen*  
Joyce Cohen

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BOX PATENT APPLICATION  
Assistant Commissioner of Patents  
Washington, D.C. 20231

NON-PROVISIONAL APPLICATION TRANSMITTAL UNDER 37 CFR 1.53(b)

Transmitted herewith for filing is a non-provisional patent application:

Inventor(s) (or Application "Identifier"):

Kevin P. Baker  
Will F. Baron  
David T. Scadden

Title: **PROTEIN TYROSINE KINASES**

1. Type of Application

- ☐ This application is for an original, non-provisional application.
- ☐ This is a non-provisional application claiming priority to provisional application no. \_\_, filed \_\_, the entire disclosure of which is hereby incorporated by reference.
- ☒ This is a ☐ continuation-in-part ☐ continuation ☒ divisional application claiming priority to application Serial Number 08/170,558, filed December 20, 1993, the entire disclosure of which is hereby incorporated by reference.

2. Papers Enclosed Which Are Required For Filing Date Under 37 CFR 1.53(b) (Non-provisional)

146 pages of specification, including Sequence Listing  
3 pages of claims  
1 page(s) of abstract  
21 sheet(s) of drawings  
☒ formal ☐ informal

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01/25/99

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## 3. Declaration or Oath

*(for new and CIP applications; also for Cont./Div. where inventor(s) are being added)*

☐ An executed declaration of the inventor(s) ☐ is enclosed ☐ will follow.

*(for Cont./Div. where inventorship is the same or inventor(s) being deleted)*

☒ A copy of the executed declaration/oath filed in the prior application is enclosed (37 CFR 1.63(d)).

*(for Cont./Div. where inventor(s) being deleted)*

☐ A signed statement is attached deleting inventor(s) named in the prior application (see 37 CFR 1.63(d)(2) and 1.33(b)).

## 4. Assignment

*(for new and CIP applications)*

☐ An Assignment of the invention to GENENTECH, INC. ☐ is enclosed with attached Recordation Form Cover Sheet ☐ will follow.

*(for cont./div.)*

☒ The prior application is assigned of record to Genentech, Inc. and New England Deaconess Hospital.

5. Amendments *(for continuation and divisional applications)*

☒ Cancel in this application original claims 1-20 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

☒ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

**Relate Back -- 35 U.S.C. 120 or 35 U.S.C. 119**

☐ Amend the specification by inserting before the first line the sentence:

--This is a

☐ non-provisional application

☐ continuation

☒ divisional

☐ continuation-in-part

of co-pending application(s)

☒ Serial No. 08/170,558 filed on December 20, 1993, which is a continuation of U.S.

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Serial No. 08/157,563 filed on 23 November 1993, now abandoned, which application(s) is(are) incorporated herein by reference and to which application(s) priority is claimed under 35 USC §120. --

International Application \_ filed on \_ which designated the U.S., which application(s) is(are) incorporated herein by reference and to which application(s) priority is claimed under 35 USC §120.--

provisional application No. \_ filed \_\_, the entire disclosure of which is hereby incorporated by reference and to which application(s) priority is claimed under 35 USC §119.--

6. **Fee Calculation (37 CFR 1.16)**

The fee has been calculated as follows:

| CLAIMS FOR FEE CALCULATION          |   |              |   |            |                             |
|-------------------------------------|---|--------------|---|------------|-----------------------------|
| Number Filed                        |   | Number Extra |   | Rate       | Basic Fee<br>37 CFR 1.16(a) |
|                                     |   |              |   |            | \$760.00                    |
| Total Claims                        | 5 | - 20 =       | 0 | X \$18.00  | \$0.00                      |
| Independent Claims                  | 1 | - 3 =        | 0 | X \$78.00  | \$0.00                      |
| Multiple dependent claim(s), if any |   |              |   | + \$260.00 | \$0.00                      |
| Filing Fee Calculation              |   |              |   |            | \$760.00                    |

7. **Method of Payment of Fees**

The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$760.00. A duplicate copy of this transmittal is enclosed.

8. **Authorization to Charge Additional Fees**

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR §1.16 and 1.17, or credit overpayment to Deposit Account No. 07-0630. A duplicate copy of this sheet is enclosed.

9. **Additional Papers Enclosed**

☒ Information Disclosure Statement (37 CFR §1.98) w/ PTO-1449 and citations.

☒ Letter and Request to Use Computer-readable Sequence Listing Under 37 CFR 1.821(e).

☒ An Associate Power of Attorney or authorization of agent.

☐ Other:

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10. **Maintenance of Copendency of Prior Application** (for continuation and divisional applications)  
*[This item must be completed and the necessary papers filed in the prior application if the period set in the prior application has run]*

\_\_\_\_\_ A petition, fee and/or response has been filed to extend the term in the pending prior application until  
\_\_\_\_\_ A copy of the petition for extension of time in the **prior** application is attached.

11. **Correspondence Address:**

X Address all future communications to:

GENENTECH, INC.  
Attn: Timothy R. Schwartz, Ph.D.  
1 DNA Way  
South San Francisco, CA 94080-4990  
(650) 225-7467

Respectfully submitted,  
GENENTECH, INC.

Date: January 25, 1999

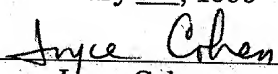
By: 

Timothy R. Schwartz, Ph.D.  
Reg. No. 32,171

1 DNA Way  
So. San Francisco, CA 94080-4990  
Phone: (650) 225-7467  
Fax: (650) 952-9881

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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| In re Application of<br><br>Kevin J. Baker et al.<br><br>Serial No.: to be assigned<br><br>Filed: herewith<br><br>For: PROTEIN TYROSINE KINASES | Group Art Unit:<br><br>Examiner:<br><br><div style="text-align: center;"><small>CERTIFICATION UNDER 37 CFR 1.10</small><br/><small>Express Mail No.: EM 168 882 540 US</small><br/><small>I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated below and is addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231.</small><br/><br/>January 25, 1999<br/><br/>Joyce Cohen</div> |
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LETTER AND REQUEST TO USE COMPUTER-READABLE SEQUENCE LISTINGUNDER 37 CFR §1.821(e)

Box Patent Application  
Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

Applicants respectfully request that the compliant computer-readable Sequence Listing filed in application Serial No. 08/170,558 filed 20 December 1993 be used as the computer-readable Sequence Listing for the present, above-identified application.

The paper copy of the Sequence Listing filed in the present application (pages 98-146 of the above-identified specification) is identical to the computer-readable copy of the Sequence Listing filed in the application Serial No. 08/170,558 filed 20 December 1993.

Respectfully submitted,

GENENTECH, INC.

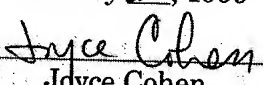
Date: 1/25/99

By: 

Timothy R. Schwartz, Ph.D.  
Reg. No. 32,171

1 DNA Way  
So. San Francisco, CA 94080-4990  
Phone: (650) 225-7467  
Fax: (650) 952-9881

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|--------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>In re Application of<br/>Kevin J. Baker et al.<br/>Serial No.: to be assigned<br/>Filed: herewith<br/>For: PROTEIN TYROSINE KINASES</p> | <p>Group Art Unit: to be assigned<br/>Examiner:<br/><br/> <div style="text-align: center;"> <p><small>CERTIFICATION UNDER 37 CFR 1.10</small><br/> <small>Express Mail No.: EM 168 882 540 US</small><br/> <small>I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date incorporated below and is addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231.</small></p> <p>January 25, 1999<br/> <br/> Jdyce Cohen</p> </div> </p> |
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ASSOCIATE POWER OF ATTORNEY (37 CFR 1.34)

Box Patent Application  
Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

Please recognize as Associate Attorney in this case:


Timothy R. Schwartz, Ph.D. - Reg. No. 32,171

Please direct all communications relative to said pending patent application to the following address:

Genentech, Inc.  
1 DNA Way  
South San Francisco, CA 94080  
Telephone: (650) 225-1994

Respectfully submitted,  
GENENTECH, INC.

Date: January 25, 1999

By:   
Janet E. Hasak  
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